IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APL.NO.10 OF 2007
IN
CRI.WRIT PETITION NO.1370 OF 2006

Shri.Gopal Eknath Masurkar ..Applicant

Vs.

The Sub-Divisional Forest Officer & Anr. ..Respondents

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Mr.Suresh M.Sabrad counsel for Applicant
Mr.S.R.Shinde, A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : MARCH 5, 2007

P.C.

1. Heard the learned counsel for the applicant and the learned A.P.P. for the State.

2. The applicant has sought return of tractor which has been seized by the respondent no.1 in respect of forest offence. The applicant is seeking that during the pendency of the matter, the tractor bearing No.MH-12/BB-649 and Trolley bearing Registration No.MH-12/BB-5543 be returned to him. The value of the tractor and trolley was 1.5 lakh. It was purchased in January, 2002. The learned

A.P.P. states that on adequate security being furnished, the tractor and trolley can be returned to the petitioner.

3. Looking to these facts, I am inclined to return the tractor with trolley to the petitioner on the petitioner depositing Rs.25,000/- before this Court and on furnishing the Bank Guarantee of another Rs.25,000/-. The Petitioner shall file undertaking before releasing the tractor and trolley that he will not transfer, sell, dispose, mortgage, create third party rights in any manner in respect of the said tractor and trolley till the final disposal of the above writ petition.

4. Application is disposed of.

[V.K.Tahilramani, J.]